

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KENNETH CHARLES LASSITER and
ALPHA DORIS LASSITER,

Plaintiffs,

v.

CITY OF BREMERTON, et al,

Defendants.

Case No. C05-5320RBL

ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFFS'
MOTION RE DEPOSITION OF STEVEN
CAIN AND FOR SANCTIONS

THIS MATTER having come before the Court on Plaintiffs' Motion Re Deposition of Steven Cain and for Sanctions [Dkt. #362], and the Court having considered:

1. Plaintiffs' Motion Re Deposition of Steven Cain and for Sanctions;
2. The Declaration of David H. Smith in Support of Plaintiffs' Motion Re Deposition of Steven Cain and for Sanctions and exhibits submitted in support thereof; and
3. Defendants' Response to Plaintiffs' Motion, and any materials submitted in support thereof.

The Court being otherwise fully advised of the premises, now, therefore, it is hereby **ORDERED** that:

1. The deposition of Steven Cain will be held at his offices located at 6242 Jones Rd. Burlington, Wisconsin 53105.
2. All parties shall bear their own costs associated with the deposition of Cain and re-examination of the tape and tape recorder by Fausto Poza, BEKTEK, LLC, or others.
3. Plaintiffs may seek such other and further relief as stated in the Court's Order Granting

1 Plaintiffs' Motion to Compel Return Tape and Tape Recorder and for Sanctions signed
2 January 14, 2007 [Dkt. #312].

3 4. Plaintiffs' Motion to Vacate Prior Court Order [Dkt. #349] is **DENIED AS MOOT.**

4 DATED this 5th day of March, 2007.

5
6
7 
8 RONALD B. LEIGHTON
9 UNITED STATES DISTRICT JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28